

## EXHIBIT 6

IN /VIEW WITH DGT. GARY CLARK  
Interviewer: Det. Adam Deplitch  
08-15-06/6:40 am CT  
Case # 06-6425clark  
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INTERVIEW WITH SGT. GARY CLARK

Q=Det. Adam Deplitch

A=Sgt. Gary Clark

Q: All right this is August 15, 2006. The time is approximately 6:40 in the morning. Present with myself is Detective Mulligan, Detective Pate from the sheriff's department. What we're doing is investigating the officer involved shooting that occurred in the city of Pittsburgh early this morning. Um my understanding is-is you were on supervisor for the sheriff's department when this incident happened and responded to the scene.

A: Yes.

Q: If you could just explain to me what-what your role was in this incident and what if anything you may have saw.

A: Uh I responded to the location, got there on scene um, lot of Pittsburgh officers were running because we got the wrong address, the wrong house at first. And I could hear someone screaming from a backyard, "I'm over here, I'm over here." And I saw Deputy Patzer standing there in a panic still. And uh I saw a guy laying on the ground. And uh Patzer said he'd been shot. And so I checked the guy and I saw one what appeared to be a gun shot wound to the abdomen. I went back out, called for the fire to come in. And uh went back in the backyard, talked to Patzer who was still calling for cover even though we were already there.

Q: He was very shaken up?

A: He was very shaken up, very shaken up. He kept saying, "I need help, I need help. Come back here the guy's here." And we were all right there with him.

Man: Was this on the radio here or he's just yelling?

A: He's just yelling when we're standing right there with him.

Man: Okay.

A: He's zoned out is what it was, is what it looked like to me, he was zoned out.

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46  
47 Man: Mm-hm.  
48  
49 A: I don't think he saw us.  
50  
51 Q: Okay did they advise what — prior to all this even happening what was it a  
52 car stop or was it — what was — what took place?  
53  
54 A: I couldn't hear anything they said. The only thing I heard was shots fired,  
55 man down.  
56  
57 Q: Cause the reason I ask is when we were listening to the-the dispatch tape and I  
58 don't know if you guys heard it or not but all you could hear is the "shots  
59 fired." That's like the first thing that came out.  
60  
61 A: That's all I heard I was sitting at the 9-11 on Port Chicago, and I heard them  
62 do a traffic stop prior to this one.  
63  
64 Q: Mm-hm.  
65  
66 A: And so I was like okay they cleared that so nothing was happening. And next  
67 thing you know I hear them screaming. And I didn't know if it was our guys  
68 or it was Pittsburgh.  
69  
70 Q: Right.  
71  
72 A: Because they didn't identify themselves and they was kind of broken.  
73  
74 Q: You just heard someone yelled "shots fired."  
75  
76 A: Yeah "shots fired, I need help, officer-man down."  
77  
78 Q: What uh you're — are you the supervisor for Bay Point area?  
79  
80 A: Yeah.  
81  
82 Q: What time do they start?  
83  
84 A: What time do they come on duty?  
85  
86 Q: The deputies, yeah.  
87  
88 A: We come on duty at 9:30.  
89  
90 Q: 9:30 in the evening?

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91  
92 A: Yeah.  
93  
94 Q: And uh Patzer and (Vorhower) were doubled up.  
95  
96 A: Yes Patzer owed and day back to the county, you know we had that make up  
97 date.  
98  
99 Q: Right.  
100  
101 A: Because of the (unintelligible) work, so his day was tonight and he was doing  
102 a ride along with (Jason). And they're friends, I mean, you know, he's done it  
103 before.  
104  
105 Man: A four shift and Patzer's assigned to the jail, is that right?  
106  
107 A: Yes.  
108  
109 Man: He comes and works overtime.  
110  
111 A: Yes, yes.  
112  
113 Man: Okay.  
114  
115 A: Oh it's not overtime for him it's - you know how you got...  
116  
117 Q: He owes but he's not assigned to patrol right now is he?  
118  
119 A: No he's assigned to the jail.  
120  
121 Q: Four hours assigned to patrol.  
122  
123 A: Patrol yeah.  
124  
125 Q: Okay.  
126  
127 A: (Jason)'s on patrol, (Jason Vorhower), Joshua Patzer.  
128  
129 Q: You know who was uh driving?  
130  
131 A: I believe uh (Vorhower) was driving.  
132  
133 Q: Patzer was the passenger.  
134  
135 A: Yeah.

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136  
137 Q: Um so you get there you just hear a shots fired call and then can you hear  
138 them announcing where this is at or-or?  
139  
140 A: I heard a partial street and I didn't - I wasn't familiar with the street because I  
141 wasn't familiar with those streets in Pittsburgh. I knew (Schooner) and there  
142 was another street that they-they yelled out. So I knew (Schooner) I knew  
143 kind of where that one was. Because initially when they said man down I  
144 didn't know where they were. And I even asked the dispatcher I said, "Where  
145 they at?" And they said that (Galagos) or whatever street that was.  
146  
147 Q: (Galleon) - (Galleon) Way.  
148  
149 A: Yeah I didn't - I never heard of the street.  
150  
151 Q: Okay.  
152  
153 A: So I was like oh man give me a cross street. So they said (Schooner) and  
154 something else and I knew where that was. So I started in that direction and  
155 then once I got up there I saw the Pittsburgh cars, so I just got in behind them  
156 and we all got there at the same time.  
57  
158 Q: You came right behind Pittsburgh PD.  
159  
160 A: Mm-hm.  
161  
162 Q: When you got there was - where was uh was it Vor - I'm sorry?  
163  
164 A: (Vorhower).  
165  
166 Q: (Vorhower)?  
167  
168 A: He was two houses down in the driveway with the other two guys - the other  
169 two bad guys, suspects.  
170  
171 Q: And then - in the suspect vehicle?  
172  
173 A: They were on the ground?  
174  
175 Q: They were - had already been taken out?  
176  
177 A: Mm-hm.  
178  
179 Q: Okay um and Patzer you couldn't see him at this point?  
180

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181 A: No when I got there we kind of cut through this other yard trying to because  
182 we didn't know which house he was in you know cause all you could hear  
183 was ...  
184

185 Q: You mentioned you hear someone yelling.  
186

187 A: He was yelling, yeah, "I'm back here. I'm back here." And so we cut through  
188 the yard, trample some hedges and-and get in the back gate and there he is  
189 standing there. And you know it's pitch black back there, you know, we put  
190 the flashlight down on him and there's the guy laying there up against the  
191 wall, you know. But he's got his hand like under here, he's laying on his back  
192 or kind of like on his side and he's looking up and then we couldn't clear his  
193 hands, so I just reached down there and patted him down real quick and pulled  
194 his arm out from under him. And then I ran back out and called for the  
195 ambulance again. And then I ran down to see if Jason was okay, I saw he was  
196 okay. So I ran back to the other house and I got Josh Patzer, I told him to  
197 come out and put him over there and put him over there in the patrol car. I  
198 told him not to talk to anybody or say anything.  
199

200 Q: Did-did you do any type of a public safety uh statement – just – a public  
201 safety statement from him or did he say what he did?  
202

203 A: No.  
204

205 Q: Or-Patzer?  
206

207 A: No. At the time he didn't make any statements and he just looked really,  
208 really um he just looked real bad you know. Almost like he, he almost looked  
209 like he was gonna cry. You know.  
210

211 Q: He was very-very upset.  
212

213 A: He was very upset you know and-and (Jason) looked the same way. I mean  
214 he was holding his gun on these two guys. And there was like six Pittsburgh  
215 guys on these two guys so I didn't even get in there. I just went back to the  
216 down guy.  
217

218 Q: What uh-um with Patzer was he – did have any – did you notice any injuries?  
219 Or did he ...  
220

221 A: He had a big.  
222

223 Q: Or did he mention any injuries or?  
224

225 A: He had a big – he had a big knot right on the top of his head there.

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226  
227 Q: Did he make any reference that he was hurt?  
228  
229 A: No.  
230  
231 Q: He just looked very shaken up?  
232  
233 A: Yeah because he just kept holding his head and just was shaking his head. He  
234 wouldn't say anything and just kept shaking his head. He just looked really  
235 bad.  
236  
237 Q: Um did he look like his uniform did he look like he'd been-been involved in  
238 any type of altercation.  
239  
240 A: He was a little bit disheveled.  
241  
242 Q: His uniform was?  
243  
244 A: Yeah disheveled.  
245  
246 Q: Like he'd been fighting with a – with a guy?  
247  
248 A: Yeah his shirt was a little messed up.  
249  
250 Q: Okay um what about the guy that had-had been shot? What – what other than  
251 him just laying there did he make any? Did he say anything or?  
252  
253 A: He didn't say anything we kept trying to get his name, he wouldn't say  
254 anything to us.  
255  
256 Man: Could you tell if he was still breathing?  
257  
258 A: He was still breathing because he was kind of moving while he was down  
259 there. He was moving real slow.  
260  
261 Man: He was nonresponsive to any verbal commands.  
262  
263 A: Yeah, yeah and then because I was – I kept putting a light in his face and I  
264 kept yelling at him, you know, "Stay with me. Stay with me."  
265  
266 Man: Was his eyes opened?  
267  
268 A: Yeah his eyes stayed open you know.  
269  
270 Man: What about uh do you notice if he was bleeding or not.

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271  
272 A: Oh he was bleeding.  
273  
274 Q: What – did you where he was bleeding from?  
275  
276 A: Right from his stomach – right-right by the lower stomach because his t-shirt  
277 was ripped I believe and it was kind of like up here over him so you could see  
278 his stomach a little bit.  
279  
280 Q: Mm-hm.  
281  
282 A: And so I pulled it up to see where he was actually hit and it was right there in  
283 his lower stomach.  
284  
285 Q: Um so after you go see the suspect you come back out and now is anyone with  
286 Patzer? Is he by himself out in the street or?  
287  
288 A: I put him to the car and then a Pittsburgh officer stays with him.  
289  
290 Q: Okay.  
291  
2 A: Don't – don't let him talk to anybody or you know.  
293  
294 Q: Right. Um.  
295  
296 A: And he just kind of sat – I told him to sit in the car. And he didn't want to sit  
297 in the car, he said he was dizzy, he wanted to stand up.  
298  
299 Q: Um from when the-the call comes out you hear the shots fired where are you  
300 at? I mean where are you – are you in Bay Point?  
301  
302 A: Yeah I'm in Bay Point at the uh 7-11 on Port Chicago Highway.  
303  
304 Q: Okay. You know how long it took you to get on scene? You remember?  
305  
306 A: It might be two minutes.  
307  
308 Q: Okay so relatively quick?  
309  
310 A: Yeah it was pretty fast.  
311  
312 Q: And did uh (Vonhow) did he make any reference that he and uh Patzer had  
313 spoke or had any conversation prior to getting on scene or anything like that?  
4  
315 A: Mm-mm.



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316  
317 Q: Did you – did you talk to (Von Hower) at all?  
318  
319 A: Hm, (Vorhower) and ask him.  
320  
321 Q: (Vorhower) I'm sorry.  
322  
323 A: And asked him what happened.  
324  
325 Q: What did he say?  
326  
327 A: He said they saw this car, they saw two cars on (Balcluta) is what he said.  
328 And um he said one car was following the other car way too close so they  
329 thought maybe the second car was deuce and he was trying to focus on the-the  
330 lead car's taillights. Just to you know how drunk people zero in on the red  
331 taillights.  
332  
333 Q: Mm-hm.  
334  
335 A: So that's what they thought that-that he was doing so they follow him for a  
336 little while plus the second car did have a taillight our, which turned out to be  
7 the suspect vehicle he had a taillight out. So they follow him up (Balcluta)  
338 and they get close to another street and they put the lights on him and the guy  
339 just takes off. So it's not a real high speed take off but it was fast enough so  
340 they can try to get a little distance between (Vorhower)'s car and their car.  
341  
342 Q: Mm-hm.  
343  
344 A: So they get a little distance and then they come around the corner on — I can't  
345 think of the name of that street again.  
346  
347 Q: (Galleon).  
348  
349 A: (Galleon) and they swoop into the first driveway. As soon as they make the –  
350 I guess it would be a left they swoop into the first house on the left hand side.  
351 And (Vorhower) are like they don't live in that house. So their car is parked  
352 in the street and the car is in the driveway. And so they get out and walk up to  
353 the car and while they walking up to the car these guys are ...  
354  
355 Q: And what do you mean when you're saying they get out? Meaning  
356 (Vorhower) said he and Patzer got out to contact ...  
357  
358 A: Yeah they both got out ...  
9  
360 Q: To contact this –the (unintelligible).

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361  
362 A: To contact – mm-hm- there's three guys in the car and they're looking back at  
363 (Vorhower) and Patzer and they're moving too much. So obviously  
364 (Vorhower) says he's thinking they must have a weapon or something they're  
365 trying to hide in that car right now.  
366  
367 Q: Mm-hm.  
368  
369 A: And so they do the go on each side.  
370  
371 Q: Did he say did – he say – did he go – the being that he was being the driver of  
372 the car, (Vorhower) ...  
373  
374 A: He said he went to the driver's side and Patzer was on the passenger side.  
375  
376 Q: Okay.  
377  
378 A: And they didn't feel comfortable with the driver so they brought the driver out  
379 of the car and put him on the hood you know. Put your hands on the hood.  
380  
381 Q: On the hood of?  
382  
383 A: On the ...  
384  
385 Man: Suspect car.  
386  
387 A: Suspect vehicle and said he sat there for maybe a second or two and-and he  
388 took off running.  
389  
390 Q: The driver did?  
391  
392 A: Yeah Patzer took off after him, hopped one fence, went into that front yard,  
393 came out of the driveway area, ran up the driveway of the other house and  
394 went in the backyard. And that's ...  
395  
396 Q: And that's when he lost sight of him?  
397  
398 A: Mm-hm.  
399  
400 Q: Did he mention – did he a-a shot go off or did he?  
401  
402 A: He went back and had the other two at gunpoint.  
403  
404 Q: Mm-hm.  
405

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406 A: And then he heard the pop is what he said. He said, "I heard a pop." And  
407 then he told the other guys, "Don't move."  
408  
409 Q: Um did he -- did he mention anything about hearing uh Patzer yell or indicate  
410 that he's been in a fight or?  
411  
412 A: Mm-mm.  
413  
414 Q: Just hears -- sees the guy take off? Did he say how long, how much time had  
415 passed?  
416  
417 A: No.  
418  
419 Q: Just heard the single shot.  
420  
421 A: Single shot and they were -- like I said they were one house, another house,  
422 and then Patzer's at this house.  
423  
424 Q: Um based on the-the car stop did he just sound like he was more uh more  
425 relatively quick once they hit the lights. I mean they made a couple turns, I  
426 mean it hadn't been.  
7  
428 A: I don't think they chance to get out that they were going to go 1195 or 1196  
429 on this car, just ...  
430  
431 Q: This car (unintelligible) relatively quick.  
432  
433 A: Mm-hm.  
434  
435 Q: Uh and then once uh the medical was there -- they arrived on the scene.  
436  
437 A: Oh medical took a long time to get to the scene. They took over 10 minutes to  
438 get to the scene. Now if you check the call the call came out at 1:46 -- 1:47  
439 and at the same time Patzer says, "Man down start fire and ambulance."  
440  
441 Q: Right.  
442  
443 A: It's right up at the top there. And they say, "Fire and ambulance is stage you  
444 know whatever." And so when I come back out, I say I need an ETA from  
445 fire and ambulance. When I come back out again and I say they're still not  
446 here. Where are they? So I don't know exactly when they got scene. I know  
447 somebody said, "Fire and ambulance scene."  
448  
49 Q: Right.  
450

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451 A: But they didn't put that in the call. And I think the last time I said something  
452 about fire and ambulance was at like um 1:50 or something.  
453  
454 Q: Yeah.  
455  
456 A: 1:51. And that's when uh they still weren't there and they said they were five  
457 blocks out, when initially the said they were staging. So I'm thinking if  
458 they're staging they should be like right around the corner somewhere and it  
459 should ...  
460  
461 Q: There it is.  
462  
463 A: ...take them a minute or two to get there. And it (unintelligible).  
464  
465 Man: Yeah 1:55 is says they're five blocks out, fire says that.  
466  
467 A: Yeah. Yeah. And he put that call out at 1:5-1:46.  
468  
469 Q: Right.  
470  
471 A: So you're talking 10 minutes right there. And then they're five blocks out,  
472 then they still weren't five blocks out because I didn't hear their siren. And  
473 then finally they got there and they got out kind of nonchalant and I was kind  
474 of annoyed that they were taking so ...  
475  
476 Q: Took so long.  
477  
478 A: Yeah and then they were just taking their time getting off the truck. The only  
479 that had any concern or any urgency was the uh the girl from AMR. You  
480 know she was trying to get the gurney out and get all of her stuff real fast.  
481 Her partner was moving slow, the fire dudes were moving slow. And I said,  
482 "Hey you know this guy back here is going to bleed out on us. Man can we  
483 step it up a little bit?" So then they kind of walk back there. You know when  
484 we got back there you could you look at his eyes and.  
485  
486 Q: Was he – when you guys walked back there again was he still breathing?  
487  
488 A: Barely. Barely and that's ...  
489  
490 Q: So he-he just wasn't – was he nonresponsive still?  
491  
492 A: No I-I had my flashlight right in his face and I was yelling at him again to stay  
493 with me, stay with me. And he ...  
494  
495 Q: Didn't make any ...

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496  
497 A: ...made one motion.  
498  
499 Q: What'd he do?  
500  
501 A: Like this and he looked up but he-he wasn't looking at anything.  
502  
503 Q: Sure.  
504  
505 A: He just had that glazed look.  
506  
507 Man: Was he still laying on his stomach or side or side area.  
508  
509 A: Same position.  
510  
511 Man: He hadn't moved.  
512  
513 A: No.  
514  
515 Man: Did he -- did he say anything?  
516  
517 A: Nope nothing and then when I did that, I moved out of the way so  
518 (unintelligible) and the fire guys could do their thing.  
519  
520 Q: Um and then after they get him transported.  
521  
522 A: Mm-hm. They said they were going to take him to Mt. (Di) and so we're  
523 under the impression that he's going to Mt. (Di) so I send a deputy with him.  
524 And Pittsburgh sends a deputy-an officer to follow the ambulance to Mt. (Di),  
525 turns out they went to (Sudder Hilton).  
526  
527 Q: Right. Um what about did -- and did -- was your involvement with getting the  
528 officer sequestered did you assist with our sergeant or?  
529  
530 A: Yeah I can't pronounce your sergeant's name.  
531  
532 Q: Albanese.  
533  
534 A: Yeah.  
535  
536 Q: Okay.  
537  
538 A: And we decided to take our guys over to here and uh I walked Patzer down, I  
539 think (Glazer) brought over, I'm not sure though.  
540

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541 Q: Yeah I believe that's ...

542

543 A: Yeah.

544

545 Q: But that's...

546

547 A: We left the canine car there and I walked him all the way back down to the  
548 corner, put him the car and then he drove him over here and I don't know who  
549 brought (Vorhowerer) over here.

550

551 Q: Captain.

552

553 Man: Do you know if they had spoke with any officers on scene?

554

555 A: Those two?

556

557 Man: Yeah.

558

559 A: No I don't think so.

560

561 Man: Okay.

562

563 A: No.

564

565 Q: All right you got it all?

566

567 Man: Did you - (unintelligible) could you go through a sequence one more time,  
568 when you first get there, I understand that the activity's is going on over at 36  
569 which is where you know (Vonhower)'s got the two suspects in the vehicle.

570

571 A: Mm-hm.

572

573 Man: Were you the first one in the backyard?

574

575 A: Uh I was.

576

577 Man: Uh do you know how many other officers were ahead?

578

579 A: Two officers were ahead of me, two Pittsburgh officers were ahead of me.

580

581 Man: Well when you were on the streets though you heard?

582

583 A: The shots fired call.

584

585 Man: Yeah.

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586  
587 A: Yeah shots fired man down.  
588  
589 Man: When you were out on the actual street there, over on (Galleon) you could  
590 hear him in the back yelling.  
591  
592 A: I could hear yelling, "I'm over here, I'm over here."  
593  
594 Man: And he was still yelling even though the Pittsburgh officers were there and  
595 you were on scene.  
596  
597 A: We me and the Pittsburgh guys got in the back, ran in the backyard, at the  
598 same time. And he was still yelling, you know, "I need some help. I need  
599 some help. He's right there. He's right there."  
600  
601 Man: Kind of would it be safe to say he's like oblivious to you at the time?  
602  
603 A: Exactly.  
604  
605 Man: Okay.  
606  
607 A: Like I said, he didn't see us even though we were right there you know. And  
608 he was pointing to the guy, "He's right there. He's right there." And we all  
609 had our flashlights on back there we knew the guy was right there.  
610  
611 Man: And I went up the scene - I don't have a real good, didn't actually into it, I  
612 just went in the front of it - where was the suspect on the other side of the  
613 fence right close to the fence near the air conditioner or was he further back in  
614 the yard.  
615  
616 A: Further back from there.  
617  
618 Man: How far back like from that air conditioning unit?  
619  
620 A: Maybe three feet back.  
621  
622 Man: Okay so still pretty close to that. And do you know - did the deputy hit his  
623 head on the air conditioner or?  
624  
625 A: Yes he said he bumped on his head on - on the corner of the air conditioner,  
626 he had a nice goose egg up there.  
627  
628 Man: And so you're in contact with the deputy with Patzer then.  
629  
630 A: Mm-hm.

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631  
632 Man: What exactly did he tell you – is that the only thing he mentioned that he hit  
633 his head or ...  
634  
635 A: He said he-he hopped the fence and he was chasing this guy and he said when  
636 he went through the fence he said the guy was waiting for him right there. He  
637 thought the guy was gonna was keep running. So he was prepared to run but  
638 when he went through the little raggedy gate the guy was right there and the  
639 fight was on. And he said the next thing he knew the guy was on top of him,  
640 literally on top of him fighting not figuratively. And then he said that's all he  
641 remembered he didn't remember hitting his head on that air conditioning.  
642  
643 Man: Did he make any comments or gestures about anybody going for his weapon?  
644  
645 A: Not to me he didn't.  
646  
647 Man: Did he appear as though he was scared?  
648  
649 A: He still appeared – yeah he was – he was out of it.  
650  
651 Man: Okay.  
652  
653 A: And he said, I don't-I don't even remember. All I did was I heard the pop and  
654 that's all I remember.  
655  
656 Man: Where was his gun when you got there?  
657  
658 A: In the holster.  
659  
660 Man: So when does he tell you this? Is this when you're over at the vehicles?  
661 Patzer we're talking about? Does Patzer tell you this?  
662  
663 A: Oh this is after I took him over to the vehicle and all this other stuff was going  
664 on and I talked to (Vohower) first and I got (Vohower) to give me the reader's  
665 digest version of happened. I put (Vohower) back over in his car and I come  
666 up and I say, "Okay Patzer what – give me a just brief."  
667  
668 Man: Right.  
669  
670 A: (Unintelligible) of what happened and that's what he told me.  
671  
672 Man: And just to recap what he told you then, he said that he was hopping the fence  
673 after the guy. The guy went over and apparently he was surprised when he  
674 gets through the fence – did he say he goes over the fence or through it?  
675



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676 A: He went over the first fence.  
677  
678 Man: Okay.  
679  
680 A: And then he runs down the driveway of the second house, back up the  
681 driveway to the third house which is where that gate was. And it's just a piece  
682 of plywood ...  
683  
684 Man: Yes.  
685  
686 A: Gate. And he just assumed the guy was gonna be running.  
687  
688 Man: Keep going.  
689  
690 A: But he wasn't. When he pushed the gate was open he was standing right  
691 there.  
692  
693 Man: And what did he say, "the fight was on?"  
694  
695 A: He said the guy was right on and the fight was on.  
696  
7 Man: And did he -- I'm -- I'm not sure if one of the detectives asked this but he -- did  
698 he ever say Patzer that the guy made any motions for his gun or did he motion  
699 towards his gun or?  
700  
701 A: No he didn't say anything about the gun to me.  
702  
703 Man: Did he tell you how long the fight lasted or anything like that or just said the  
704 fight was on and?  
705  
706 A: Mm-mm. He just said the fight was on.  
707  
708 Man: Okay.  
709  
710 A: Saying the guy was on top of me.  
711  
712 Man: Did he make any comments about being punched with fists or anything like  
713 that.  
714  
715 A: Mm-mm.  
716  
717 Man: Any hand gestures like the fight was on?  
718  
719 A: Nope, he just said, "The fight was on. The guy was on top of me." That's all  
720 he kept saying.

0000617

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721  
722 Man: And when did he tell you that he didn't remember then. He said he didn't  
723 remember what exactly happened but the gun went off.  
724  
725 A: When he told me about the fight.  
726  
727 Man: Okay.  
728  
729 A: This is after I went and talked to him after I talked to (Vohower).  
730  
731 Man: Okay and do you know is that before Sergeant Albanese spoke to him or is  
732 that after. Do you know? Because it looks like you may have talked to him  
733 once Albanese did.  
734  
735 A: I don't um know when Albanese talked to him.  
736  
737 Man: When you did -- when you got there was Sergeant Albanese was already  
738 there?  
739  
740 A: We got there about the same time.  
741  
742 Man: Same time.  
743  
744 A: But see I think Albanese went down to talk with or he didn't go to talk -- he  
745 went down to ...  
746  
747 Man: When you went to talk to (Vohower) first  
748  
749 A: Yeah.  
750  
751 Man: And when you got there was the suspect already handcuffed?  
752  
753 A: No he was still laying like kind of weird position and I pulled his arms out and  
754 then when I went back in the backyard somebody had handcuffed him.  
755  
756 Man: That's all I have. Is anything we-we didn't ask you that we should have or  
757 anything else that you think might be important?  
758  
759 A: Um he said he only shot off one round and it's-it's a lot of times when people  
760 say they only shot one round you-you go back and check and they've shot like  
761 15.  
762  
763 Man: Right.  
764

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765 A: But he knew he only shot one round? And I said, "Well where'd you –  
766 where'd you shoot it?" And he said, "I got him in the stomach."  
767  
768 Man: And this is when he was describing the fight?  
769  
770 A: No this is when he was in the backyard.  
771  
772 Man: When you first went back there?  
773  
774 A: When I first went back there and he said, "I shot him." I said, "Well where'd  
775 you shoot him?" Cause the guy was laying then, so he said, "I shot him in the  
776 stomach."  
777  
778 Man: This is when you're still in the backyard?  
779  
780 A: Mm-hm.  
781  
782 Man: Okay.  
783  
784 A: So I pulled his little shirt up a little bit cause you could see his stomach was  
785 bleeding anyway and I pulled the shirt up and you could see the gunshot  
786 wound.  
787  
788 Man: Just one gunshot.  
789  
790 A: Just one.  
791  
792 Man: And then (Vorhowerer) said he also just heard?  
793  
794 A: Heard on pop.  
795  
796 Man: One pop.  
797  
798 A: (Unintelligible).  
799  
800 Man: Now the second statement so that's all he heard at the back, the second  
801 statement you took from him was actually at the car?  
802  
803 A: Mm-hm.  
804  
805 Man: That's all I have.  
806  
807 Man: That's all I have.  
808  
809 Q: (Unintelligible) thank you sir.

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810  
811 A: All right.  
812  
813  
814 This transcript has been reviewed with the audio recording submitted and it is an accurate  
815 transcription.  
816 Signed: \_\_\_\_\_